

**FENWICK & WEST LLP**

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FACSIMILE TRANSMISSION**CONFIDENTIAL**

DATE: August 18, 2004

CLIENT-MATTER NO.: 21685-08851

To:

NAME	FAX NO.	PHONE NO.
Commissioner for Patents	(703) 746-4060	

FROM: Robert A. Hulse**PHONE:** (415) 875-2444**SENT BY:** Tracie Brooks**PHONE:** (415) 875-2482

NUMBER OF PAGES WITH COVER PAGE: 11

ORIGINAL WILL NOT FOLLOW

MESSAGE:**RESPONSE TO NOTICE OF MISSING PARTS****Applicants:** Sylvain P. Rebaud, et al.**App. No.:** 10/786,891**Filing Date:** February 24, 2004AUG 19 2004
OIPF/JCWS

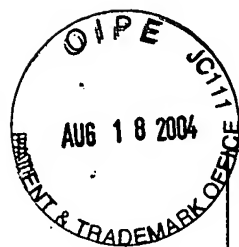
RECEIVED

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PLEASE CALL Tracie Brooks AT (415) 875-2482 AS SOON AS POSSIBLE.

A1000/00103/SF/5121796.1



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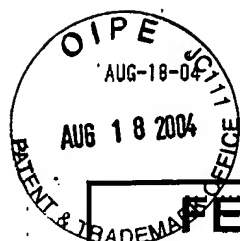
0001/PTO Rev. 10/95	U.S. Department of Commerce Patent and Trademark Office	Application Number	10/786,891
		Filing Date	February 24, 2004
		First Named Inventor	Sylvain Pierre Rebaud
		Group Art Unit Number	2611
		Examiner Name	Unassigned
TRANSMITTAL FORM (to be used for all correspondence during pendency of filed application)		Total Number of Pages in This Submission	11
		Attorney Docket Number	21685-08851/US

ENCLOSURES (check all that apply)	
<input checked="" type="checkbox"/> Fee Transmittal Form (in duplicate) <input checked="" type="checkbox"/> Deposit Account Authorization <input type="checkbox"/> Return Receipt Postcard <input checked="" type="checkbox"/> Response to Notice to File Missing Parts <input type="checkbox"/> Assignment & Recordation Cover Sheet <input checked="" type="checkbox"/> Combined Declaration and Power of Attorney <input type="checkbox"/> Power of Attorney <input type="checkbox"/> Application Data Sheet <input type="checkbox"/> Information Disclosure Statement & PTO/SB/08A <input type="checkbox"/> Copies of IDS Cited References <input type="checkbox"/> Request for Corrected Filing Receipt <input type="checkbox"/> Request for Correction of Recorded Assignment <input type="checkbox"/> Amendment/Response: [] Page(s) <input type="checkbox"/> After Final <input type="checkbox"/> Status Request <input type="checkbox"/> Revocation and Substitute Power of Attorney	<input type="checkbox"/> Issue Fee Transmittal <input type="checkbox"/> Letter to Chief Draftsperson <input type="checkbox"/> Formal Drawing(s): [] Sheet(s) of Figure(s) [] <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> After Allowance Communication to Group <input checked="" type="checkbox"/> Copy of Notice of Missing Parts <input checked="" type="checkbox"/> Fax Cover Sheet <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
REMARKS:	

SIGNATURE OF ATTORNEY OR AGENT			
Signature:			
Attorney/Reg. No.:	Robert Hulse, Reg. No. 48,473	Dated:	August 18, 2004

CERTIFICATE OF FACSIMILE TRANSMISSION			
I hereby certify that this correspondence, including the enclosures identified above, is being transmitted on the date shown below via facsimile to: Commissioner for Patents at the facsimile number indicated below.			
Signature:			
Typed or Printed Name:	Robert Hulse	Dated:	August 18, 2004
Facsimile Number:	1-(703) 746-4060		

21685/08851/SF/5126945.1



AUG-18-04 06:59PM FROM-Fenwick & West

415 281 1350

T-453 P.003/011 F-492

**FEE TRANSMITTAL
for FY 2004**

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT (\$)** 2160.00**Complete if Known**

Application Number	10786,891
Filing Date	February 24, 2004
First Named Inventor	Sylvain P. Rebaud
Examiner Name	Unassigned
Art Unit	2611
Attorney Docket No.	21685-08851/US

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None
☒ Deposit Account:

Deposit Account Number 19-2555

Deposit Account Name Fenwick & West LLP

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments
☐ Charge all required fee(s) or any underpayment of fee(s) due under 37 CFR §1.16 or §1.17 during the pendency of this application☐ Charge fee(s) indicated below, except for the filing fee

to the above-identified deposit account.

FEE CALCULATION**1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	770.00
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$) 770.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims		Extra Claims		Fee from below		Fee Paid		
	63	-20	=	43	x	18	=	774
Independent Claims	4	-3	=	1	x	86	=	86
Multiple Dependent						290	=	290

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	66	2201	43	Independent claims in excess of 3
1203	280	2203	145	Multiple dependent claim, if not paid
1204	66	2204	43	**Reissue independent claims over original patent
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

*or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	130.00
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	110.00
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(g)	
1808	180	1808	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

SUBTOTAL (3) (\$)

*Reduced by Basic Filing Fee Paid

SUBMITTED BY

Name (Print/Type) Robert A. Hulse

Registration No. 48,473
(Attorney/Agent)**Complete (if applicable)**

Telephone (415) 875-2444

Signature

Date

August 18, 2004

PATENT



IN THE UNITED STATES

PATENT AND TRADEMARK OFFICE

APPLICANT(S): Sylvain P. Rebaud, et al.
APPLICATION NO.: 10/786,891
FILING DATE: February 24, 2004
TITLE: Media Delivery System Providing Conditional Access to Media Content
From Various Client Devices
EXAMINER: Unassigned
GROUP ART UNIT: 2611
ATTY. DKT. NO.: 21685-08851

CERTIFICATE OF FACSIMILE TRANSMISSION			
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Signature:			
Typed or Printed Name:	Robert Hulse	Dated:	August 18, 2004
Facsimile Number:	1-(703) 746-4060		

MAIL STOP MISSING PARTS
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

08/19/2004 JBALINAN 00000038 192555 10786891
05 FC:1251 110.00 DA
SIR:

**RESPONSE TO NOTICE TO FILE MISSING
PARTS OF APPLICATION**

Responsive to the Notice to File Missing Parts dated May 18, 2004 received in the above-identified patent application,

☒ Enclosed are:

- ☒ a copy of the Notice to File Missing Parts;
- ☒ an original, signed Combined Declaration and Power of Attorney;
- ☒ payment in the amount of \$2160 for the
- ☒ application filing fee;


21685/08851/SF/5126948.11

PATENT

- ☒ fee for additional claims; multiple dependent surcharge
 - ☒ missing parts surcharge; and
 - ☒ extension fee for reply within first month
 - ☐ Other
- ☐ Applicant claims small entity status under 37 C.F.R. § 1.27.

Respectfully submitted,
SYLAIN P. REBAUD, ET AL

Dated: Aug. 18, 2004

By: 
ROBERT A. HULSE, Reg. No.: 48,473
Fenwick & West LLP
Silicon Valley Center
801 California Street
Mountain View, CA 94041
Tel.: (415) 875-2482
Fax.: (650) 938-5200

21685/08851/SF/5126948.12

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AUG-18-04 07:02PM FROM-Fenwick & West

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T-453 P.010/011 F-492

Page 1 of 2



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/786,891	02/24/2004	Sylvain Pierre Rebaud	21685-08851

00758
FENWICK & WEST LLP
SILICON VALLEY CENTER
801 CALIFORNIA STREET
MOUNTAIN VIEW, CA 94041

CONFIRMATION NO. 3530

FORMALITIES LETTER

OC000000012694464

MAY 21 2004

Date Mailed: 05/18/2004



NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$1150 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$2050 for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.

08/19/2004 JBALINAN 00000038 192555 10786891

01 FC:1001	770.00 DA
02 FC:1051	130.00 DA
03 FC:1201	86.00 DA
04 FC:1202	774.00 DA

08/19/2004 JBALINAN 00000069 192555 10786891
01 FC:1203 290.00 DA

- Total additional claim fee(s) for this application is \$1150

- \$86 for 1 independent claims over 3.
- \$774 for 43 total claims over 20.
- \$290 for multiple dependent claim surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY